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STATE OF WASHINGTON (State)
Governor

SECOND MESSAGE

OF

GOV. HENRY MCBRIDE

TO THE

LEGISLATURE OF 1905

OLYMPIA, WASH.:
CAPITAL PRINTING COMPANY.
1905.

STATE OF WASHINGTON (State) Governor

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SECOND MESSAGE OF GOVERNOR HENRY McBRIDE.

State of Washington, Executive Department.
Olympia, January 11, 1905.

Gentlemen of the Senate and of the House of Representatives:

Section 6, article III of the State Constitution requires the governor to communicate at every session by message to the legislature the condition of the affairs of the state, and recommend such measures as he shall deem expedient for their action. While under this section it is clearly the duty of the outgoing governor to communicate to the legislature the condition of the affairs of the state, it is generally considered that the recommending of new measures does not fall within his province, except, perhaps, such as may be necessarily connected with or growing out of information that he may have to impart.

The finances of the state are in a healthy condition. For the biennial term ending September 30, 1902, the state indebtedness was reduced $131,222.34, and for the biennial term ending September 30, 1904, $122,610.86, making a total reduction during the four years of $253,833.20.

The reduction of the state indebtedness for the biennial term ending September 30, 1904, in the sum of $122,610.86, is largely due to the fact that, in several in-

stances, it has been found not necessary to expend the entire amounts appropriated at the last session. Of the appropriations made under the head of "For governor's office" about $27,000.00 will revert to the treasury. Something over $50,000.00 will remain unexpended out of the appropriations made for the maintenance of the state institutions under the management of the state board of control. The Louisiana Purchase Exposition commission of this state, after returning here such exhibits as may be suitable for use at the Lewis and Clark exposition, will probably have an unexpended balance of between eight and nine thousand dollars. Out of an appropriation of $3,000.00 to be paid upon certificates of the Labor commissioner "For settlement of differences between employers and employes," only $76.20 has been used. These items I have mentioned as reverting to the treasury will reach a total of between eighty-five and ninety thousand dollars.

In the matter of appropriations I feel I would be falling short of my full duty did I not address a word of caution to the legislature. The needs of the state are many. Many requests will be made, and there are many worthy objects to which it would be pleasing to lend aid by way of appropriations were it possible to do so. To keep the expenditures within the revenues will require a constant struggle. After the adjournment of the last session I felt constrained to disapprove appropriation bills and items of appropriation bills amounting to more than four hundred thousand dollars. Had not this been done, and had it not been found unnecessary to expend the entire amounts authorized by other appropriation bills, the

state debt, instead of having been reduced during the last biennial term, would have been increased several hundred thousand dollars. This statement is made not through any desire to revive old controversies, but for the sole purpose of emphasizing the necessity of caution in these matters. It is not a pleasant task for an executive to be compelled, after adjournment, to disapprove numerous measures of the legislative branch of government, or else, as a penalty for not doing so, to accept the responsibility of seeing the state indebtedness very largely increased. In this, the closing act of my administration, I feel my motives will not be misunderstood in suggesting that this burden should not be placed upon the executive.

The State Soldiers' Home, Western Washington Hospital for Insane, Eastern Washington Hospital for Insane, State Penitentiary, State Reform School, and State School for Defective youth, institutions under the management of the State Board of Control, are entitled to your first consideration in the matter of appropriations. The increase in the number of the inmates renders necessary increased amounts for the maintenance of all of these institutions except the State Reform School. Owing to their present rather crowded condition, and to the certainty that the number of their inmates will continue to increase, new buildings are also needed at all these institutions except the Reform School. I invite your attention to the detailed report of the State Board of Control. Their successful and business-like management of these institutions entitles their recommendations to great weight.

The state educational institutions dependent for support upon appropriations made by the legislature, namely, the University of Washington, the State Agricultural College and School of Science, and the normal schools at Ellensburg, Cheney and Bellingham, are all in a flourishing condition. Their several boards of regents and boards of trustees consist of men who take pride in their work. By careful attention to their duties, and through devoting their time to the upbuilding of the institutions with which they are connected, they have rendered valuable services to the state. Not least among their merits is the fact that they have absolutely divorced politics from our educational institutions. These institutions in the past could, no doubt, have used to advantage more money than was at their disposal; and could, no doubt, in the next two years use to advantage more than you will be able to grant them. They should, however, be dealt with as liberally as is consistent with preserving the proper balance between the state's expenditures and revenues. In this connection I wish to call attention to the fact that October 1, 1904, there was on hand in the Scientific School fund $27,051.99; in the Agricultural College fund, $25,859.00; in the charitable, educational, penal and reformatory institutions fund $47,823.76; and in the normal school fund, $16,916.04, making a total on hand in those funds of $117,650.79. When the last legislature convened a test case was pending in the supreme court of this state to determine whether these several funds, like the common school fund, were permanent and irreducible so that only the interest could be expended, or whether the prin-

cipal could be expended. Before adjournment it was decided that these funds were permanent and irreducible and that only the interest could be expended; but in the hurry of the closing days of the session the matter seems to have been overlooked and no provision was made for their investment. As there is no good reason why this money should remain idle in some bank, provision should be made for the proper investment of these funds to the end that the educational institutions entitled thereto may receive some benefit from the same.

The national guard of the state as now constituted is a very efficient organization. It stands high in the estimation of officers in the regular army. Its present high state of efficiency I attribute very largely to the fact that politics has been entirely barred from the organization. While there is no need of enlarging it beyond the limits now authorized by law, yet within those limits it should be cheerfully supported, for I am satisfied that if its services are ever needed it will give a good account of itself.

The fund for the maintenance of the capitol building became exhausted October 1, 1904, and it became necessary for the capitol commission to make provision for the payment of running expenses for the ensuing months of October, November and December. At the request of the commission the Capital National Bank of Olympia advanced the necessary funds for this purpose, amounting to the sum of $1,804.31, agreeing to look to the legislature for reimbursement. To reimburse this bank I would recommend the passage of a relief bill for the sum advanced.

December 28, 1904, I received from the supreme court of this state the following communication:

"The legislature of 1903, in an amendment to the law relating to the admission of attorneys to the bar, enacted, among other things, that the supreme court might 'appoint three attorneys at law, members of the bar of said court of not less than five years' standing, as a board of examiners to conduct written examinations of applicants for admission to the bar, under the direction of said court, the members of which said board shall hold office for one year from and after their appointment, unless sooner removed by the court'; and also enacted that the 'members of said board of examiners shall be allowed and paid a per diem not to exceed ten dollars per day during their attendance upon said court in the conduct of said examination, and mileage at the rate of five cents per mile for every mile actually traveled going to and returning from attendance upon the court at such examination.' No appropriation, however, was made to meet the expenses that would be created by the appointment of such board. But, notwithstanding the want of such an appropriation, this court, owing to the pressure upon it of constantly increasing business which could not be delegated, felt compelled to relieve itself of the burden of conducting the examination of applicants in person by the appointment of a board of examiners under the act. To that end, on December 16, 1903, the court named as members of such board, Mr. P. M. Troy, of Olympia; Mr. James B. Murphy, of Seattle, and Mr. J. B. Bridges, of Aberdeen, each of whom is a member of the bar of this

court, and otherwise qualified to act as a member of such board according to the terms of the law. These gentlemen accepted their appointments, and have served continuously ever since, each having been reappointed at the expiration of his first year's service.

"By the terms of the statute the several members of the board have become entitled to the following sums from the state, namely:

	Mileage.	Per Diem.	Total.
Mr. P. M. Troy	$.....	$ 90.00	$ 90.00
Mr. Jas. B. Murphy.	19.20	100.00	119.20
Mr. J. B. Bridges...	12.80	60.00	72.80
Grand total			$282.00

"As the members of the board have not only given the time necessary to a faithful and conscientious discharge of the duties imposed by virtue of such appointment, but have also borne their own expenses while in the discharge of such duties, the court feels that it would be no more than just that the coming legislature make provision for the payment to them of the amounts earned as above stated. The court, therefore, begs to call your attention to the matter, and requests that you, in any way that you may deem most fitting, call it to the attention of the legislature, so that that body may have an opportunity to take such action concerning such payment as in its wisdom it may deem appropriate."

Fully agreeing with the court, I recommend an appropriation sufficient to cover the claims of the "board of examiners."

A subject of very great importance to the state is that of irrigation. June 17, 1902, what is known as the "Reclamation Act" was passed by congress, reserving, setting aside and appropriating as a special fund in the treasury, to be known as the "reclamation fund," the proceeds derived from the sale of public lands, excepting five per cent. thereof, in thirteen states, including Washington, and three territories, said "reclamation fund" "to be used in the examination and survey for, and the construction and maintenance of irrigation works for the storage, diversion and development of waters for the reclamation of arid and semi-arid lands in the said states and territories." It seems to be the intent of the act that the money derived from the sale of public lands in each of said states is to be expended in that state "subject to the existence of feasible irrigation projects therein," provided the laws of the state are such that the spirit and purpose of the act can be complied with. I understand that this state has contributed in the neighborhood of three and one-half million dollars to the "reclamation fund." It is certainly of the utmost importance to the state that this money should be expended in the state. Whether this can or will be done seems to hinge, first, upon the existence of feasible irrigation projects in the state, from an engineering standpoint, and, second, upon whether our laws are such that those in charge of the reclamation service would deem it feasible to attempt to carry out such irrigation projects as may be feasible from an engineering standpoint. No one doubts the existence of feasible irrigation projects in the state from an engi-

neering standpoint, and it seems equally clear that our laws are not such as to warrant those in charge of the reclamation service in undertaking to carry out such projects. Therefore, in the final analysis, the question whether the money contributed by this state to the "reclamation fund" is to be expended in this state depends upon the action of this legislature. This, in my opinion, is one of the most important subjects which you will be called upon to consider. Some time ago it was suggested to me by officials of the United States reclamation service that under our laws, as they now are, it would not be feasible to undertake any irrigation project in this state. I was also requested by various boards of trade and chambers of commerce, and persons interested in irrigation, to appoint an "irrigation commission" to study the question. There was no law authorizing the appointment of such a commission, and there was nothing it could do that would be binding upon the state, but, after careful consideration, I concluded to appoint an "irrigation commission" for the purpose of investigating the subject of irrigation and recommending such changes in our irrigation laws as might be deemed for the best interests of the state, to the end that I might be able to lay before this legislature the result of its labors for such action as in your wisdom you may determine. I appointed as members of that commission the following named gentlemen: J. H. Smithson, Austin Mires, George F. Cottrell, John A. Shackelford, Walter N. Granger, Harold Preston, E. A. Bryan, N. G. Blalock, Charles P. Lund, and W. B. Bridgeman. After diligent study and

extended research the commission embodied its conclusions in a report which will be submitted to you and to which I wish to invite your most careful attention. The time devoted to the subject and the acknowledged ability of the members of the commission entitle its conclusions to respectful consideration. The members of this commission do not desire and would not accept any compensation for their services, but, with some reluctance, they have consented to me recommending an appropriation sufficient to cover their actual expenses. These expenses, including fees of stenographers and expenses of printing report, amount of $1,080.40. A detailed statement of these expenses will be placed before your appropriation committees, and I recommend an appropriation sufficient to cover the same.

I feel like congratulating the people of the state upon the fact that sentiment is now almost unanimous in favor of the passage of a railway commission bill. Many who have been bitterly opposed to it in the past now seem to be clamoring for the enactment of such a measure. Their sincerity will be put to the test during this session. It is needless for me to say that there are commission bills and commission bills. A commission bill that is a commission bill in name only instead of quieting would serve to increase the agitation that has been carried on in this state upon this question. What is needed is a regulative, appointive railway commission clothed with ample power to remedy abuses. Any other kind of a commission, in my judgment, would prove to be worse than useless. I trust the wisdom of this legislature may be sufficient to

settle this question properly, for, in my judgment, it will never be settled in this state until it is settled right.

In conclusion, permit me to express the hope that your duties may prove to be pleasant and congenial and that your labors may redound to the honor and to the credit of the state.

HENRY McBRIDE.